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senate has a "constitutional right of amending treaties after they have been signed and submitted to it for approval" (p. 276), or whether the "advice of the Senate" when it takes the form of proposed amendments, may properly be regarded as a part of the negotiation of a treaty. The contrary view would put the entire negotiation of the treaty in the hands of the President. Should the Senate choose to propose amendments, the result is the rejection of the treaty, unless the President and the foreign power interested are willing to enter into fresh negotiations on the basis of the amendments suggested. To call the Senate's right to advise the President a part of the negotiation of the treaty appears at the best a very loose use of words.

Finally, the statement that a treaty concluded under the pressure of force, though valid, does not carry the same moral obligation for its observance as does one entered into voluntarily, and the application made of it with regard to the attitude of France toward Alsace-Lorraine does not seem to be in keeping with the otherwise lofty tone of morality of the entire book. The volume is replete with illustrative cases from our own and from foreign diplomatic history, and discusses almost all the recent events of consequence in the field of our diplomatic efforts, such as the San Domingo treaty and the *agreement* negotiated by the President, the Drago Doctrine and the important questions connected with it. In short, it is a book that will appeal to the general reader, as well as to the more restricted number of those who have some special interest in the study of diplomacy and diplomatic questions. For the student the bibliography and index will prove helpful.

THE FIRST YEAR OF ROMAN LAW. BY FERNAND BERNARD. Translated by CHARLES P. SHERMAN. New York: Oxford University Press, American Branch. 1906. pp. xiii, 326.

The work before us is divided into seven "books," which, as the whole is of comparatively small compass, we should be more inclined to call parts or chapters. These books are subdivided into titles, these titles again into chapters, and the chapters in turn into sections. Finally, the paragraphs are numbered consecutively from 1 to 900. The result of this careful subdivision is to give the book the appearance and tone of a compendium, though in his preface the author denies that the work is a *memento*, that is, according to the translator, "a small publication designed to refresh the memory in preparation for an examination in some subject: a sort of short synoptic work or digest." An outline of the work is as follows:

BOOK I. *History of the Roman Law*. The five titles are distributed according to the five historical periods, from the legendary to that of the later empire.

BOOK II. *Persons*. The titles are *Preliminary Conceptions* (which surely should not form a separate title, but should be treated like the introductory matter in Books I and VII), *Status Libertatis*, *Status Civitatis* and *Status Familiae*.

BOOK III. *Things* under two titles, *Division of Things*, and *Summary Notions as to Obligations*.

BOOK IV. *Actions*, under two titles, *General and Historical Notions*, and *Systems of Procedure*.

BOOK V. *Ownership*, under seven titles, including *Attributes and Evolution of Ownership*, *Possession*, *Modes of Acquiring Ownership*, and *Civil and Praetorian Dismemberments of the Right of Ownership*.

BOOK VI. *Successions*, under six titles, the most important of which is the second, *Conditions for the Validity of Wills*.

BOOK VII. *Donationes inter Vivos and Mortis Causa*, under two titles.

A work which covers so large a field and in such a lexicographical fashion that almost every page is cut up into short paragraphs, many of which are single sentences, while the most conspicuous features on each page are the Arabic numerals and the black-type paragraph headings, can hardly prove more attractive to a student than a technical dictionary although the translator, evidently laboring *con amore* over his task, assures us that the book "appeals by its charms of style to the reader's interest."

The opening sentence of the first chapter runs thus: "The Romans celebrate yearly the 19th of April as the anniversary of the founding of their city." Now, it is well known that rightly or wrongly the Romans celebrate the 21st of April, the date of the ancient Palilia as their city's natal day. It is discouraging to find an error of fact thus standing at the very portal of the work, but we are glad to ascertain that such a mistake is quite uncommon, and that the treatise as a whole is characterized by accuracy and precision. As it is rather ponderously expressed in the preface, the author has "applied to it (the work) great solicitude for exactness and modernness of doctrine."

A foreign text-book of this sort, to be thoroughly serviceable to English-speaking students, should contain plentiful references to well-known writers, especially those whose works are generally accessible. This is the more necessary in the present case, because the French author has limited his references, outside of original Latin sources, to contemporaneous French writers. Thus, in dealing with the history of the subject, while Cuq and Girard are frequently cited, we miss references to such well-known and accessible writers as Maine, Mommsen, Clark, Coulanges, Ortolan and Phillimore, not to speak of the standard histories of Rome and Roman institutions. Of course, a well-informed teacher can readily supply references of this sort, but a legal text-book, which is obviously of the *syllabus* type, ought surely to indicate a considerable variety of works, which the serious student may profitably consult.

Aside from this defect, the flaws in the book are mainly connected with external form and arrangement. It would be unjust, however, not to point out its many merits and its adaptability to use as a text-book.

To begin with, it is quite comprehensive, for there is not a single principle of Roman law, sufficiently important to be included in first-year study, which the author has omitted. Again, legal principles and definitions are very concisely stated, and a lecturer on the subject will be glad to find an important rule given in such brief, almost epigrammatic form, that it can be readily committed to memory. Here, how-

ever, this almost Aristotelian feature is somewhat overdone, and a teacher using the book with a class must be careful to see that all statements, which do not readily reveal their meaning, are put under his magnifying glass. Another good feature is the practice of frequently citing the original Latin phrases and sentences, for there is no question that our modern tongues are quite inferior for the expression of both the philosophic and the technical principles of jurisprudence. Lastly, the translator has provided a good index, which is a valuable addition to the original work. We are sure that many teachers of Roman law will welcome this book as a manual to be placed in the hands of their students.

STUDIES IN THE CIVIL LAW. By W. W. HOWE. Second Edition, Boston: Little, Brown & Co. 1905. pp. xiii, 391.

WILLS ON CIRCUMSTANTIAL EVIDENCE WITH AMERICAN NOTES. By G. E. BEERS and A. T. CORBIN. Boston: The Boston Book Co. 1905. pp. xiii, 448.

CONSTITUTIONAL LAW IN ENGLAND. By E. W. RIDGES. London: Stevens & Sons. 1905. pp. xxxii, 459.

DUE PROCESS OF LAW UNDER THE FEDERAL CONSTITUTION. By LUCIUS POLK MCGEEHEE. Northport: Edward Thompson Co. 1906. pp. x, 451.

ACT OF STATE IN ENGLISH LAW. By W. HARRISON MOORE. London: John Murray. 1906. pp. xi, 178.

PRINCIPLES OF THE ENGLISH LAW OF CONTRACT. By SIR WM. R. ANSON. Eleventh English Edition. Second American Edition. By ERNEST W. HUFFCUT. New York: Oxford University Press, American Branch. 1906. pp. li, 462.

THE LAW OF INNKEEPERS AND HOTELS INCLUDING OTHER PUBLIC HOUSES, THEATRES, SLEEPING CARS. By JOHN HENRY BEALE, Jr. Boston: Wm. J. Nagel. 1906. pp. xviii, 621.

THE AUSTINIAN THEORY OF LAW. By W. JETHRO BROWN. London: John Murray. 1906. pp. xv, 383.

AMERICAN CONSULAR JURISDICTION IN THE ORIENT. By FRANK E. HINCKLEY. Washington: W. D. Lowdermilk & Co. 1906. pp. xx, 283.

SUPPLEMENT TO SNYDER'S ANNOTATED LAWS. By WM. L. SNYDER. New York: Baker, Voorhis & Co. 1906. pp. xi, 178.

INTERSTATE COMMERCE ACTS, INDEXED AND DIGESTED. By CHARLES S. HAMLIN. Boston: Little, Brown & Co. 1907. pp. 480.

THE AMERICAN LAWYER. By JOHN R. DOS PASSOS. New York: The Banks Law Publishing Co. 1907. pp. iv, 185.

A DIGEST OF IMPORTANT CASES ON THE LAW OF CRIMES. By JOHN R. ROOD. Ann Arbor: George Wahr. 1906. pp. 623.

HISTORY OF THE ROMAN LAW. Part I. Sources. By E. C. Clark. Cambridge: University Press. New York: G. P. Putnam's Sons. 1906. pp. 168.

THE PREPARATION AND CONTEST OF WILLS. By DANIEL S. REMSEN. New York: Baker, Voorhis & Co. 1907. pp. xli, 839.

THE LAW OF HOMICIDE. By FRANCIS WHARTON. Third edition by Frank H. Bowlby. Rochester: Lawyers' Co-operative Publishing Co. 1907. pp. clvi, 1120.